

To: Camacho, Ruben[Camacho.Ruben@epa.gov]
Cc: Rawls, Maurice[Rawls.Maurice@epa.gov]; Howard, AshleyA[Howard.AshleyA@epa.gov]
From: Balli, Javier
Sent: Mon 8/17/2015 9:17:17 PM
Subject: RE: PLS reply by 1:00 PM today, Monday, 8/17 if possible

RC,

I called Jenny Wilson and asked her about this.

Yes, we allowed for LDHH to use their existing set-aside funds (no new money) to buy equipment several years ago so that LDHH could do the amoeba testing themselves. After Katrina and Rita, we told them to use their set-aside funds (no new money) to transfer to LA DNR to located and map wellheads that were sheared off. LA DNR received fund from somewhere else to actually cap the wells. She said Maurice would remember this.

My conclusion from my reading and research is that if NMED wants to use their existing PWSS funds first and then maybe their set-asides with a lot of creativity, that may be an option.

Everything I find on our EPA is that the state or local government has the right to get reimbursed by the federal government for the costs that they incur responding to an emergency. Here is an example of that....

<http://www2.epa.gov/emergency-response/reimbursement-local-governments-emergency-response-hazardous-substance-releases>

~JB

From: Camacho, Ruben
Sent: Monday, August 17, 2015 2:46 PM
To: Rawls, Maurice; Balli, Javier; Howard, AshleyA
Subject: RE: PLS reply by 1:00 PM today, Monday, 8/17 if possible

I thought we can do a one-time short term monitoring. I thought we allowed it for Jake at

LDHH. I know routine monitoring is not allowed, but we can always get an exception or deviation due to the situation. You can possibly use the 15% set-aside as long as it benefits the community. The issue is that I am not sure that NMED has the staff to do it so they would have to contract this out which usually takes them a while to do contracts. We need to have a conversation with NMED-DWB first to see where they are on this issue.

Ruben Camacho

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Please consider the environment before printing this email.

From: Rawls, Maurice

Sent: Monday, August 17, 2015 12:49 PM

To: Balli, Javier; Camacho, Ruben; Howard, AshleyA

Subject: PLS reply by 1:00 PM today, Monday, 8/17 if possible

Pls see David's question below. Can't we fund long term monitoring via the DWSRF set asides, perhaps the 15%.

Also, what about CWSRF... any availability to monitor via the WRDDA Amendments?

Maurice "Moe" Rawls

Chief, SRF & Projects Section

US EPA R6 (6WQ-AP)

ph: (214) 665-8049

From: Garcia, David

Sent: Monday, August 17, 2015 10:52 AM

To: Hosch, Claudia

Cc: Honker, William; Rawls, Maurice; Jones, Curry; Crossland, Ronnie; Edlund, Carl

Subject: FW: Draft comments 8/16/2015-for DWB criteria

Claudia,

Please read Ronnie's email below. Are there existing NMED grant mechanisms that can be used for support of long term monitoring:

-

•☐☐☐☐☐☐ **River Condition:** Routine stream sampling with the same analytes should continue by the EPA in order to monitor water quality changes with stream flow changes.

•☐☐☐☐☐☐ **Aquifer Condition:** EPA should continue with follow up monitoring of the same analytes in the source water for potentially impacted public groundwater wells after typical pumping has occurred.

•☐☐☐☐☐☐ **Long term Sediment Impacts:** The impacts of processing and treating source water with such increased levels of contaminated sediment are unknown. DWB would want confirmation from EPA that they would continue to monitor sediment quality and assume responsibility for any future damages/repairs to treatment facilities that may result from the contaminated sediment.

David F. Garcia
Deputy Director
Water Quality
Protection Division

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From: Edlund, Carl
Sent: Monday, August 17, 2015 10:35 AM
To: Crossland, Ronnie
Cc: Webster, Susan; Petersen, Chris; Bernier, Roberto; Garcia, David; Restivo, Angela
Subject: Re: Draft comments 8/16/2015-for DWB criteria

Is it possible to separate short term (2 weeks or less) from long term (2 weeks +)? actions.

Sediment: If we did TCLP on sediment samples that we have already and find that it passes, wouldn't that resolve future concerns from storm events? Seems to me that future release events from Gold King or other sites would be a whole new thing and outside of this agreement.

Drinking water: in the next 2 weeks we should get results from the short holding time systems (Morningstar, others), if they test safe, wouldn't that mean that longer retention systems would test even safer? I do understand that NMED wants EPA to be accountable. What actions would be needed if the systems have Gold King contaminants.

Regarding warning systems: I can see that NM was embarrassed by lack of communication regarding the surge (so were we) and wants something to prevent that in the future. Not sure USGS/ river warning system would solve what is a communication problem. Would an intergovernmental agreement between NM, R-6, and R-8 on emergency communication be better?

Do we have a compilation of different funding mechanisms in place already that might be used for future actions? 106 grant, SDW grants, cooperative agreements with different stakeholders? We could invent new ones but existing would be better.

Does this help?

Sent from my iPad

On Aug 17, 2015, at 8:23 AM, Crossland, Ronnie <Crossland.Ronnie@epa.gov> wrote:

Carl,

I agree that the 100 day timeframe seems like a long time. However, the biggest issue is associated with the sediment basins. It appears that NMED wants EPA to take responsibility for the disposal of all sediment from DW Systems for the foreseeable future. Both total and dissolved sample results indicate low levels of metals. In addition, NMED wants EPA to install some type of river warning system to warn operators of either storm events that might stir up sediment or in the event another mine has a release. We have sampled the sediment and it below screening levels. Monitoring for future events is outside the scope of this response. These issues need to be resolved at a higher level.

Ronnie

From: Edlund, Carl
Sent: Monday, August 17, 2015 8:41 AM
To: Webster, Susan
Cc: Petersen, Chris; Bernier, Roberto; Crossland, Ronnie
Subject: Re: Draft comments 8/16/2015-for DWB criteria

Thanks...largely good but I have a few questions: Short term seems pretty long (up to 100 days for water to go thru the system); we should be well past immediate Removal Action. Wouldn't this be part of long term response? Payment through a grant (Water grant to NMED?).

Sent from my iPad

On Aug 16, 2015, at 7:37 PM, Webster, Susan <webster.susan@epa.gov> wrote:

Draft tonight.

Sent from my iPhone

Begin forwarded message:

From: "Restivo, Angela" <Restivo.Angela@epa.gov>
Date: August 16, 2015 at 8:23:24 PM CDT
To: "Garcia, David" <Garcia.David@epa.gov>
Cc: "Webster, Susan" <webster.susan@epa.gov>, "Smith, Monica" <smith.monica@epa.gov>, "Foster, Althea" <Foster.Althea@epa.gov>, "Ngo, Kim" <Ngo.Kim@epa.gov>, "Loston, Anthony" <Loston.Anthony@epa.gov>, "Crossland, Ronnie" <Crossland.Ronnie@epa.gov>, "McCasland, Mark" <McCasland.Mark@epa.gov>, "Martin, John" <martin.john@epa.gov>
Subject: Draft comments 8/16/2015-for DWB criteria

This is a draft version.

Angela Restivo

Compliance Officer

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<Gold King Mine Spill All Clear Criteria Draft comments8162015.docx>